



March 20, 2015

ENGROSSED SENATE BILL No. 534

DIGEST OF SB 534 (Updated March 18, 2015 6:51 pm - DI 77)

Citations Affected: IC 25-22.5.

Synopsis: Rules for prescribing controlled substances. Requires the medical licensing board to adopt standards and protocols for the prescribing of controlled substances, including the use of abuse deterrent formulations. Requires, before March 1, 2016, the following boards to adopt rules concerning the prescribing of opioid controlled substances for pain management treatment: (1) the medical licensing board, concerning physician assistants; (2) the board of podiatric medicine, concerning podiatrists; (3) the state board of dentistry, concerning dentists; and (4) the Indiana state board of nursing, concerning advanced practice nurses. Requires each board to report before December 31, 2015, to the legislative council with a status report on the board's efforts to adopt the required rules.

Effective: July 1, 2015; December 31, 2015.

**Grooms, Miller Patricia, Stoops,
Randolph**

(HOUSE SPONSORS — DAVISSON, CLERE, STEMLER, BROWN C)

January 14, 2015, read first time and referred to Committee on Health & Provider Services.
February 12, 2015, amended, reported favorably — Do Pass.
February 16, 2015, read second time, ordered engrossed. Engrossed.
February 17, 2015, read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

March 5, 2015, read first time and referred to Committee on Public Health.
March 19, 2015, amended, reported — Do Pass.

ES 534—LS 7304/DI 77



March 20, 2015

First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

ENGROSSED SENATE BILL No. 534

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-22.5-13-2, AS ADDED BY P.L.185-2013,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 DECEMBER 31, 2015]: Sec. 2. (a) Consistent with standard medical
4 practices in pain management treatment, the medical licensing board
5 shall
6 (1) ~~before November 1, 2013, adopt emergency rules in the~~
7 ~~manner provided in IC 4-22-2-37.1; and~~
8 (2) ~~before November 1, 2014, adopt rules under IC 4-22-2~~
9 to establish standards and protocols for the prescribing of controlled
10 substances, **including the use of abuse deterrent formulations.**
11 (b) ~~An emergency rule adopted under subsection (a)(1) remains in~~
12 ~~effect until the effective date of the permanent rule adopted under~~
13 ~~subsection (a)(2):~~
14 SECTION 2. IC 25-22.5-13-3, AS ADDED BY P.L.185-2013,
15 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2015]: Sec. 3. (a) **Before March 1, 2016, the: state board of**

ES 534—LS 7304/DI 77



1 pharmacy or any licensing board, commission, or agency that controls;
 2 authorizes, or oversees controlled substance registrations under
 3 ~~IC 35-48-3~~

- 4 (1) board, concerning physician assistants;
- 5 (2) board of podiatric medicine, concerning podiatrists;
- 6 (3) state board of dentistry, concerning dentists; and
- 7 (4) Indiana state board of nursing, concerning advanced
- 8 practice nurses;

9 shall adopt rules necessary to complement the rules for prescribing
 10 opioid controlled substances for pain management treatment
 11 adopted by the medical licensing board under sections 1 and 2 of this
 12 chapter.

13 (b) Before December 31, 2015, each board specified in
 14 subsection (a) shall provide a report in an electronic format under
 15 IC 5-14-6 to the legislative council providing a status report on
 16 efforts to adopt the rules required by subsection (a). The status
 17 report must include:

- 18 (1) a copy of the board's rulemaking docket required by
- 19 IC 4-22-2-22.5; and
- 20 (2) a reasonable estimate of the timetable for action required
- 21 under IC 4-22-2-22.5(d)(8).



COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 534, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 16, begin a new paragraph and insert:
 "SECTION 1. IC 25-22.5-13-3, AS ADDED BY P.L.185-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. **(a) Before March 1, 2016, the: state board of pharmacy or any licensing board, commission, or agency that controls, authorizes, or oversees controlled substance registrations under IC 35-48-3**

- (1) board, concerning physician assistants;**
- (2) board of podiatric medicine, concerning podiatrists;**
- (3) state board of dentistry, concerning dentists; and**
- (4) Indiana state board of nursing, concerning advanced practice nurses;**

shall adopt rules necessary to complement the rules **for prescribing opioid controlled substances for pain management treatment** adopted by the ~~medical licensing~~ board under **sections 1 and 2** of this chapter.

(b) Before December 31, 2015, each board specified in subsection (a) shall provide a report in an electronic format under IC 5-14-6 to the legislative council providing a status report on efforts to adopt the rules required by subsection (a). The status report must include:

- (1) a copy of the board's rulemaking docket required by IC 4-22-2-22.5; and**
- (2) a reasonable estimate of the timetable for action required under IC 4-22-2-22.5(d)(8)."**

Delete page 2.

and when so amended that said bill do pass.

(Reference is to SB 534 as introduced.)

MILLER PATRICIA, Chairperson

Committee Vote: Yeas 7, Nays 0.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 534, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 25-22.5-13-2, AS ADDED BY P.L.185-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE DECEMBER 31, 2015]: Sec. 2. (a) Consistent with standard medical practices in pain management treatment, the medical licensing board shall

(1) ~~before November 1, 2013, adopt emergency rules in the manner provided in IC 4-22-2-37.1; and~~

(2) ~~before November 1, 2014, adopt rules under IC 4-22-2~~ to establish standards and protocols for the prescribing of controlled substances, **including the use of abuse deterrent formulations.**

(b) ~~An emergency rule adopted under subsection (a)(1) remains in effect until the effective date of the permanent rule adopted under subsection (a)(2):".~~

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 534 as printed February 13, 2015.)

CLERE

Committee Vote: yeas 9, nays 0.

